

RECEIVED  
CENTRAL FAX CENTER

MAY 18 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

OFFICIAL

In re the Application of:

**Jinglin LI et al.**

Serial No.: 10/072,600

Filed: February 11, 2002

For: METHOD OF PREPARING ENANTIOMERICALLY-ENRICHED  
TETRAHYDROBENZOTHIOPINE OXIDESAtty. Docket No.: 161765.00465  
(3163/1/US/DIV)

Group Art Unit: 1626

Examiner: E. Sackey

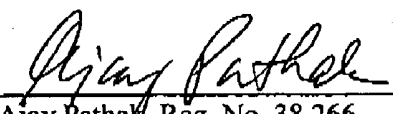
Attn: Examiner: E. SACKKEY

Fax No.: 703-872-9306

Group Art Unit 1626

This transmission includes **9** total pages, including this  
Certificate of Facsimile Transmission.Commissioner for Patents  
P.O. Box 1460  
Alexandria, VA 22313-1450**CERTIFICATION OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. § 1.8**

I hereby certify that the attached Request for Reconsideration of Final Requirement for Restriction, Fee Transmittal and Notice of Appeal are being facsimile transmitted to the U.S. Patent and Trademark Office on May 14, 2004 to the above-noted Fax No. 703-872-9306.

Date: May 14, 2004  
Ajay Pathak, Reg. No. 38,266Banner & Witcoff, LTD.  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Tel: (202) 824-3000  
Fax: (202) 824-3001

Approved for use through 07/31/2008. OMB 0851-0032  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 750

## Complete if Known

Application Number 10/072,600  
Filing Date February 11, 2002  
First Named Inventor Jinglin Li et al.  
Examiner Name E. Sackey  
Art Unit 1626  
Attorney Docket No. 161765.00465 (3163/1/US/DIV)

## METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order

☒ Deposit Account:

Deposit  
Account  
Number 19-0733

Deposit  
Account  
Name Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims  - " =  X  =   
Independent Claims  - " =  X  =   
Multiple Dependent  X  =

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	Reissue independent claims over original patent	
1205 18	2205 9	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$ 0)

\*For number previously paid, if greater, For Reissue, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 65	Non-English specification	
1812 2,520	2812 1,260	For filing a request for reexamination	
1804 820*	2804 410*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 920*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	420
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	330
1402 330	2402 165	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	2451 755	Petition to Institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	2460 65	Petitions to the Commissioner	
1807 50	2807 25	Processing fee under 37 CFR 1.17 (g)	
1806 180	2806 90	Submission of Information Disclosure Stmt	
8021 40	28021 20	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR § 1.128(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR § 1.128(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	2802 450	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 750)

## SUBMITTED BY

Name (Print/Type)	Signature	Registration No. (Attorney/Agent)	Telephone	Date
Ajay Patel		38,286	202-824-3187	May 14, 2004

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

RECEIVED  
CENTRAL FAX CENTER

MAY 18 2004

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

OFFICIAL

*In re* Application ofJinglin LI *et al.*

Serial No. 10/072,600

Filed: February 11, 2002

Group Art Unit: 1626

Examiner: Sackey, E.

Atty. Dkt. No. 161765.00465

(3163/1/US/DIV)

For: METHOD OF PREPARING ENANTIOMERICALLY-ENRICHED TETRAHYDROBENZOTHIOPINE  
OXIDES**REQUEST FOR RECONSIDERATION OF FINAL REQUIREMENT FOR  
RESTRICTION**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action dated December 18, 2003, for which the period for response has been extended two months, *i.e.*, up to and including May 18, 2004, by a Petition for Extension of time and payment of the requisite fee submitted herewith, please enter this response into the file of the above-identified application. Applicants have also submitted herewith a Notice of Appeal. Please charge our deposit account No. 19-0733 in the amount of \$750 (\$420 fee for a two-month extension of time and \$330 for a Notice of Appeal). Should any additional fees be required or an overpayment of fees made, please debit or credit our Deposit Account 19-0733, as needed.

A LISTING OF CLAIMS reflects claim amendments and begins on page 2 of this paper.

A REMARKS/ARGUMENTS section begins on page 6 of this paper.